
OLR Bill Analysis

sSB 798

AN ACT REQUIRING DOUBLE DAMAGES BE AWARDED IN CIVIL ACTIONS TO COLLECT WAGES.

SUMMARY:

Under current law, a court may order double damages when it finds that an employer failed to pay an (1) employee's wages or the accrued fringe benefits provided by the employer's policy or collective bargaining agreement upon termination of employment or (2) arbitration award that required the employer to make an employee whole or contribute to an employee welfare fund. This bill raises the legal threshold when double damages can be ordered to situations when the employer knowingly fails to make these payments, and in these situations the court must, rather than may, order double damages. The change eliminates the court's authority to order double damages if the employer unknowingly failed to pay.

EFFECTIVE DATE: October 1, 2011

BACKGROUND

Legislative History

On April 21, the Senate referred this bill (File 28) to the Judiciary Committee which added the requirement that the employer must have acted knowingly for the double damages provision to apply.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 11 Nay 0 (02/24/2011)

Judiciary Committee

Joint Favorable Substitute

Yea 22 Nay 16 (04/28/2011)